

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 3 1980

Returned to applicant for correction MAY 13 1981

Corrected application filed NOV 12 1981 Map filed NOV 12 1981

The applicant Franktown Creek Irrigation Company (Jack Healy)

4900 Mill Street of Reno  
Street and No. or P.O. Box No. City or Town

Nevada 89502 hereby make application for permission to change the  
State and Zip Code No.

place of use of a portion

Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under Cert. No. 390 under Proof of Appropriation No. 02395,

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Franktown Creek Decree  
Identify right in Decree.)

1. The source of water is Franktown Creek  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.30 Acre-feet (0.002 cfs per letter 8/10/81)  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for as decreed  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for as decreed  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point same as 6  
Describe as being within a 40-acre subdivision of public survey and by course and  
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 4, T.16N., R.19E.,  
If point of diversion is not changed, do not answer.  
M.D.B.&M., or at a point from which the E $\frac{1}{4}$  corner of Section 9 T.16N., R.19E.  
bears S. 21° 42' 20" E., 3028.4 feet distant.

7. Proposed place of use hay field (2.3 acres) in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 10,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
T16N, R19E, M.D.B. & M.

8. Existing place of use .10 acre garden in the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 10, T16N,  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
R19E, M.D.B. & M.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from as decreed to Month and Day of each year.

10. Use was permitted from as decreed to Month and Day of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) See 02395  
State manner in which water is to be diverted, i.e. diversion structure, ditches,

pipes and flumes, or drilled well, etc.

12. Estimated cost of works N/A

13. Estimated time required to construct works N/A

14. Estimated time required to complete the application of water to beneficial use..... N/A

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application withdraws the water right from a .10 acre parcel (garden)  
and places it on an existing irrigated hayfield irrigated from the same  
diversion ditch.

By s/ George W. Ball, Jr.  
George W. Ball, Jr., P.E., Certificate #409  
28 Vine Street  
Reno, NV 89509

Compared 11/bl 11/bc

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of Franktown Creek as heretofore granted under Proof of Appropriation 02395, Certificate 390 is issued subject to the terms and conditions imposed in said Proof of Appropriation 02395, Certificate 390 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed .002 cubic feet per second, but not to exceed .30 acre-feet as decreed, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before February 8, 1986

Proof of completion of work shall be filed before March 8, 1986

Application of water to beneficial use shall be made on or before February 8, 1987

Proof of the application of water to beneficial use shall be filed on or before March 8, 1987

Map in support of proof of beneficial use shall be filed on or before March 8, 1987

Completion of work filed JUN 18 1985 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed JUN 18 1985 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed AUG 11 1984 my office, this 8th day of FEBRUARY

Certificate No. 11235 Issued AUG 8 1985 A.D. 19 85